

EXHIBIT I

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

THE WIMBLEDON FUND, SPC (CLASS)
TT),)
)
PLAINTIFFS,)
)
VS.) CASE NO.
) 2:15-CV-6633-CAS-ASJWX
)
GRAYBOX LLC; INTEGRATED)
ADMINISTRATION; EUGENE SCHER, AS)
TRUSTEE OF BERGSTEIN TRUST; AND)
CASCADE TECHNOLOGIES CORP.,)
)
DEFENDANTS.)
)

VIDEOTAPED DEPOSITION OF FRYMI BIEDAK

TAKEN ON

MONDAY, MARCH 25, 2019

Sandra Mitchell
C.S.R. 12553

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15:47:21 1 Do you see that?

2 A I see that, yes. Number 2, yes.

3 Q But have we -- have you seen any documents ever

4 appointing Kia Jam president of Swartz IP?

15:47:38 5 A I don't think so. I mean, I -- again, I

6 don't -- I don't remember.

7 Q Have you ever seen Kia Jam sign as president of

8 Swartz IP?

9 A I don't remember either way.

15:47:53 10 Q So let's start with a new exhibit. And this

11 will be Exhibit No. 25.

12 (Exhibit 25 was marked for

13 identification by the Court Reporter

14 and is attached hereto.)

15:48:14 15 MR. WIECHERT: And, Jim, can I ask you just to

16 pass my pen over?

17 MR. WALKER: Oh, of course.

18 MR. WIECHERT: Thank you.

19 BY MR. WIECHERT:

15:48:35 20 Q Ms. Biedak, have you ever seen Exhibit 25

21 before?

22 A It looks -- I -- I think so.

23 Q Did you prepare it?

24 A It's very possible, yes, because that's how I

15:48:55 25 would prepare a document.

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15:48:57 1 Q All right. Do you recall where the information
2 came from that you placed on this document?

3 A Well, I probably would have looked at the
4 articles of -- the -- certificate, information or
15:49:18 5 whatever at -- maybe at the -- maybe at the EIN number.

6 Q This is interesting.

7 Do you recall speaking with anyone to obtain
8 information concerning Swartz IP other than looking at
9 legal documents?

15:49:44 10 A Possibly, yes. I would assume so because I
11 don't know how to answer any of -- when it says your
12 name, I would not answer all these questions. I
13 wouldn't know how to answer them.

14 Q And is this a document -- if you were preparing
15 it, you would be preparing it in the course of your
16 regular course of business working for Mr. Bergstein?
17 Would you prepare this as part of your job for
18 Mr. Bergstein?

19 A I don't even know what this document was for,
15:50:13 20 quite frankly.

21 Q All right.

22 A For which purpose.

23 Q There is certain information on this document.

24 A Uh-huh.

15:50:18 25 Q And I want to focus -- first of all, there's a

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15:50:21 1 question about names of individuals with ten or more
2 ownership -- 10 percent or more ownership or control of
3 the company. And first is listed Owari Opus on some
4 majority of interest, 87.5 percent.

15:50:38 5 Do you see that?

6 A Yes, I do.

7 Q You've indicated earlier you don't know who
8 owns Owari Opus; correct?

9 A That's correct.

15:50:46 10 Q It then says, "David Bergstein is the president
11 of Owari Opus."

12 Do you see that?

13 A I see that, yes.

14 Q Do you have any information as to whether or

15:50:55 15 not David Bergstein was the president of Owari Opus?

16 A I -- I don't. And I don't know -- I did not
17 think that he was, actually.

18 Q And Jerry Swartz owning 12.5 percent of Swartz
19 IP.

15:51:12 20 Do you know whether he ever became a
21 shareholder of Swartz IP?

22 A I wouldn't know either way.

23 Q Then there is -- at the bottom, there are
24 financial questions. And the first relates to total

15:51:27 25 annual income and it says "2 million to \$5 million for